

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Taveio Rauol Bilal Boston,)	C/A No. 5:14-cv-04473-MGL-KDW
)	
)	
Petitioner,)	
)	
v.)	ORDER
)	
)	
Warden Reynolds,)	
)	
Respondent.)	
)	

Petitioner, Taveio Rauol Bilal Boston, is a state prisoner who filed this pro se Petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On May 6, 2015, Respondent filed a Return and Motion for Summary Judgment. ECF Nos. 25, 26. Because Petitioner is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of such motions and of the need for him to file adequate responses. ECF No. 27. Petitioner was specifically advised that if he failed to respond adequately, Respondent's motion may be granted, thereby ending this case. Petitioner filed a Motion for an Extension of time to respond on June 8, 2015, ECF No. 31. The court granted Petitioner's Motion, allowing him until August 11, 2015, to file a response. ECF No. 32.

Before his response filing deadline, Petitioner filed what is docketed as a Motion for Discovery where he asks the court to provide him with a transcription from an audio statement he made. ECF No. 34. Petitioner's Motion for Discovery, ECF No. 34, is denied pursuant to Rule 6(a) and (b) of the Rules Governing § 2254 Cases, 28 U.S.C.A. foll. § 2254.

Petitioner has failed to demonstrate good cause for conducting discovery in this habeas case. *See Harris v. Nelson*, 394 U.S. 286 (1969).

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order and the extension granted to him, Petitioner has failed to respond to Respondent's Motion for Summary Judgment. As such, it appears to the court that he does not oppose the Motion and wishes to abandon this action against Respondent. Based on the foregoing, Petitioner is directed to advise the court whether he wishes to continue with this case and to file a response to Respondent's Motion for Summary Judgment by **September 18, 2015**. Petitioner is further advised that if he fails to respond, this action will be recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

August 18, 2015
Florence, South Carolina

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style.

Kaymani D. West
United States Magistrate Judge